



**COPY**  
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US  
PATENT  
Attorney's docket no. DAVI172.006APC  
ASSIGNMENT

WHEREAS, I/WE

**James Langham DALE**, an Australian citizen of 311 Priors Pocket Road, Moggill, Queensland 4070, Australia;  
**Santy PERAZA ECHEVERRIA**, a Mexican citizen of Calle 41#422A x 24y 14 col., Industrial, C.P. 97150, Merida, Yucatan, Mexico

hereinafter referred to as Assignor (collectively if more than one inventor is listed above), have invented certain new and useful improvements in **Banana resistance genes and uses thereof**

the specification of which:

(a) [ ] was executed on even date herewith;  
(b) [ ] was filed on \_\_\_\_\_ as [ ] Application No \_\_\_\_\_ or  
[ ] Express Mail No., as Application No. not yet known \_\_\_\_\_ and was amended on  
(c) [ X ] was described and claimed in PCT International Application PCT/AU2004/001300  
filed on 23 September 2004 and as amended under PCT Article 19 on \_\_\_\_\_ (if  
any) and/or under PCT Article 34 on \_\_\_\_\_ (if any).

AND WHEREAS,

**QUEENSLAND UNIVERSITY OF TECHNOLOGY**, of 2 George Street, Brisbane, Queensland 4000, Australia

(hereinafter referred to as Assignee) desires to acquire the entire rights, title, and interest in and to the said improvements with respect to the United States of America, its territories and possessions.

NOW, THEREFOR, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, Assignor hereby acknowledges that it has sold, assigned, transferred and set over, and by these presents does hereby sell, assign, transfer and set over, unto Assignee, its successors, legal representatives and assigns, the entire right, title, and interest in the United States of America, and its territories and possessions in, to and under said improvements, and any Patent Applications in the United States of America and all divisions, renewals and continuations thereof, and all Patents of the United States of America which may be granted thereon and all reissues and extensions thereof, and all rights of priority under International Conventions; and Assignor hereby authorizes and requests the Commissioner of Patents of the United States of America to issue all Patents for said improvements to Assignee, its successors, legal representatives and assigns, in accordance with the terms of this instrument.

AND ASSIGNOR HEREBY covenants and agrees that it will communicate to Assignee, its successors, legal representatives and assigns, any facts known to it respecting said improvements, and testify in any legal proceeding, sign all lawful papers, execute all divisional, continuing and reissue applications, make all rightful oaths and generally do everything possible to aid Assignee, its successors, legal representatives and assigns, to obtain and enforce proper patent protection for said improvements in the United States of America.

IN TESTIMONY WHEREOF, Assignor intending to be legally bound has hereunto affixed its signature.

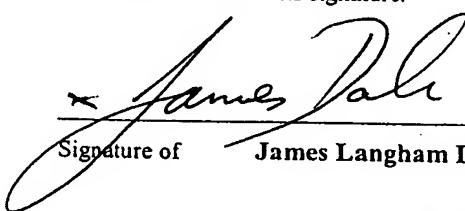
This 20<sup>th</sup> day of June, 2006

x D.O. Dale

Witness

Signature of

James Langham DALE



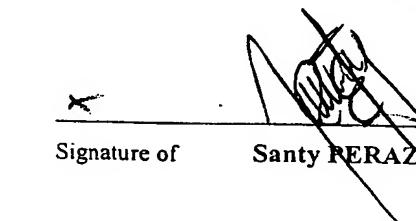
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This 29<sup>th</sup> day of June, 2006

Signature of

Santy PERAZA ECHEVERRIA



Witness



Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**STATEMENT UNDER 37 CFR 3.73(b)**Applicant/Patent Owner: James Langham DALE et alApplication No./Patent No./Control No.: \_\_\_\_\_ Filed/Issue Date: 24 March 2006

Entitled:

Banana resistance genes and uses thereof

QUEENSLAND UNIVERSITY OF TECHNOLOGY, a UNIVERSITY  
 (Name of Assignee) (Type of Assignee: corporation, partnership, university, government agency, etc.)

states that it is:

1.  the assignee of the entire right, title, and interest; or
2.  an assignee of less than the entire right, title and interest  
 (The extent (by percentage) of its ownership interest is \_\_\_\_\_ %)

in the patent application/patent identified above by virtue of either:

A.  An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or a true copy of the original assignment is attached.

OR

B.  A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as follows:

1. From: \_\_\_\_\_ To: \_\_\_\_\_  
 The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.
2. From: \_\_\_\_\_ To: \_\_\_\_\_  
 The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.
3. From: \_\_\_\_\_ To: \_\_\_\_\_  
 The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

Additional documents in the chain of title are listed on a supplemental sheet.

As required by 37 CFR 3.73(b)(1)(i), the documentary evidence of the chain of title from the original owner to the assignee was, or concurrently is being, submitted for recordation pursuant to 37 CFR 3.11.

[NOTE: A separate copy (i.e., a true copy of the original assignment document(s)) must be submitted to Assignment Division in accordance with 37 CFR Part 3, to record the assignment in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

X John Muller

X Rod Wissler

X A/Deputy Vice-Chancellor (Research and  
Commercialisation)

8/9/06

61-7-38662195

Telephone Number

This collection of information is required by 37 CFR 3.73(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.